

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

CIVIL NO. 3:06CV289

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
REAL PROPERTY LOCATED AT 3018)
HAMPTON DOWNS DRIVE, MONROE,)
NORTH CAROLINA,)
)
Defendant.)

**DEFAULT JUDGMENT OF
FORFEITURE**

THIS MATTER is before the Court on the government's motion under Fed. R. Civ. P. 55(b)(2) for a default judgment of forfeiture against the defendant property.

THE COURT FINDS THAT:

1. A verified complaint for forfeiture in rem of the defendant property was filed on July 14, 2006. This Court found probable cause for forfeiture and issued a warrant for arrest in rem.
2. Process was fully issued in this action and returned according to law. Pursuant to an order of this Court, the government duly posted the defendant property. Service of process was made by publication of notice in the Monroe Enquirer-Journal on February 21, 2007.
3. No person has filed a verified claim or an answer within the time allowed by law, and the Clerk has accordingly entered default.
4. Based on the affidavit of FBI Special Agent John M. Price, filed with the complaint, the government has shown probable cause to believe that the defendant property was used or intended to be used to commit or facilitate the commission of violations of 18 U.S.C. Chapter 77, including §§1589 and 1592, and that it is therefore subject to forfeiture under 18 U.S.C. §981 and 18 U.S.C. §1594(c).

BASED ON THE FOREGOING FINDINGS, THE COURT CONCLUDES that the

government is entitled to a judgment of forfeiture by default against the defendant property.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. The government's motion for default judgment of forfeiture is hereby granted.
2. Any and all right, title and interest of all persons in the world in or to the following property is hereby forfeited to the United States; and no other right, title, or interest shall exist therein: all present and future interest in real property located at 3018 Hampton Downs Drive, Monroe, North Carolina, consisting of a house and lot, together with any other improvements, as more particularly described in a deed recorded on December 31, 2003, at Deed Book 3322, Page 27, in the Union County Public Registry.
3. The United States is hereby directed to dispose of the forfeited defendant property as provided by law.

Signed: March 19, 2007

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

